

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Loancare, LLC.

In Re:
Sandra L. Davis,

Debtor.



Order Filed on February 3, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-10414 MBK

Adv. No.:

Hearing Date: 1/8/2020 @ 9:00 a.m..

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: February 3, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Sandra L. Davis

Case No: 19-10414 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Loancare, LLC., Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 273 Sunset Avenue, Old Bridge, NJ, 08857, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Justin M. Gillman, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 16, 2020, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due February 2019 through January 2020 for a total post-petition default of \$15,759.49 (5 @ \$1,364.94, 7 @ \$1,364.93, \$619.72 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the Secured Creditor does not waive its rights to collect these arrears if a loan modification is not successful; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume February 1, 2020, directly to Secured Creditor's servicer, LoanCare, PO Box 8068, Virginia Beach, VA 23450 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor is to submit a completed loan modification application within 30 days; and

It is further **ORDERED, ADJUDGED and DECREED** that a final loan modification will be filed or the property will be listed for sale within 90 days; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments, loan mod payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

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Debtor: Sandra L. Davis

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.